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Attorneys for Plaintiffs,
UMG RECORDINGS, INC.; CAPITOL
RECORDS, LLC; BMG MUSIC;
ATLANTIC RECORDING
CORPORATION; ELEKTRA
ENTERTAINMENT GROUP INC.; SONY
BMG MUSIC ENTERTAINMENT; and
INTERSCOPE RECORDS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UMG RECORDINGS, INC., a Delaware
corporation; CAPITOL RECORDS, LLC, a
Delaware limited liability company; BMG
MUSIC, a New York general partnership;
ATLANTIC RECORDING CORPORATION, a
Delaware corporation; ELEKTRA
ENTERTAINMENT GROUP INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; and INTERSCOPE RECORDS, a
California general partnership,

Plaintiffs,

v.

MEILING FELICITAS JOHANNA
WACHHOLZ-YEE,

Defendant.

CASE NO. 3:07-CV-04852-VRW

Honorable Vaughn R. Walker

REQUEST TO ENTER DEFAULT

TO: THE CLERK OF THE ABOVE-ENTITLED COURT

Plaintiffs hereby request that the Clerk enter default in this matter against Defendant on the ground that Defendant has failed to appear or otherwise respond to the Amended Complaint within the time prescribed by the Federal Rules of Civil Procedure. Declaration of Dawniell Zavala ¶¶ 3, 5.

Plaintiffs served the Summons and Amended Complaint on Defendant on June 24, 2008, by substitute service, as evidenced by the proof of service on file with this Court. Id. ¶ 2, Exh. A. Neither Plaintiffs nor the Court have granted Defendant any formal extensions of time to respond to the Amended Complaint. Id. ¶ 4. Plaintiffs are informed and believe that Defendant is not an infant or incompetent person or in the military service. Id. ¶¶ 6-7.

Dated: September 4, 2008

HOLME ROBERTS & OWEN LLP

By: /s/ Dawniell Alise Zavala
DAWNIELL ALISE ZAVALA
Attorney for Plaintiffs

PROOF OF SERVICE

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On September 5, 2008, I served the foregoing documents described as:

REQUEST TO ENTER DEFAULT

on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

Meiling Felicitas Johanna Wachholz-Yee
1646 Stony Brook Drive
Salinas, CA 93906

☒ BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 5, 2008 at San Francisco, California.



Della Grant